



# Department of Justice



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

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**PETROCHEMICAL COMPANIES PAY U.S., TEXAS \$120 MILLION**  
**SECOND HIGHEST SUPERFUND RECOVERY**

WASHINGTON, D.C. - A \$120 million settlement of Superfund cost recovery litigation brought by the United States and the State of Texas against numerous oil refiners and petrochemical companies for contamination at the Sikes Disposal Pits Superfund Site located near Crosby, Texas has been reached, the Justice Department, Environmental Protection Agency and the State of Texas announced today. The defendants include ARCO, Crown Central Petroleum Corp., Occidental Chemical Corp., Goodyear Tire & Rubber Co., Rohm & Haas, Inc., Shell Oil Co., The El Paso Group, Exxon Mobil Corp., Phillips Petroleum Company, and Vacuum Tanks, Inc.

Under the proposed consent decree, which was filed in the federal district court for the Southern District of Texas on September 6, 2001, the United States will receive \$111.3 million plus interest and the State will receive \$8.7 million plus interest toward reimbursement of costs they incurred to clean up chemical and oil-based contamination at the Site. The \$111.3 million payment to the United States is the second highest cost recovery settlement in the history of EPA's Superfund Program. The money from the settlement will replenish the Superfund and be available to further the cleanup efforts at other sites across the nation.

During the 1950s and 1960s, numerous refiners and petrochemical companies, among others, disposed of chemical and oil-based wastes at the Sikes Site. EPA and the State of Texas commenced cleanup efforts there in the early 1990s under the Superfund Program, and the cleanup was completed

in 1995. The United States and the State brought suit in 1998 against 14 defendants under Section 107 of the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA"), 42 U.S.C. § 9607(a), for recovery of response costs incurred for the investigation, excavation and incineration of contaminated soils and sludge at the Site. The defendants, in turn, sued 20 other companies in contribution for their disposals at the Site.

"This is a great victory for the environment and the public," said John C. Cruden, Acting Assistant Attorney General for the Justice Department's Environment and Natural Resources Division. "The 28 settling defendants initially contested their liability for this Site, but after extensive litigation, the parties have agreed to a settlement that greatly benefits the public health, welfare and the environment. Cruden added, "Now the responsible parties, rather than the taxpayers, will pay the bulk of the cleanup costs for the Site. This settlement resulted from the diligent enforcement efforts of the federal government and the State of Texas and shows the benefits of a strong state-federal approach."

"This is an excellent example of a successful Superfund cleanup," said Gregg A. Cooke, the Regional Administrator of the U.S. Environmental Protection Agency, Region 6 in Dallas. This property is now home to a variety of wildlife and is ready to be returned to productive use."

"Facing vigorous litigation from my office and the U.S. Department of Justice, these defendants agreed to pay for the cost of cleaning up the pollution they created in Harris County," said Texas Attorney General John Cornyn. "This \$120 million settlement sends a strong message that those who pollute our water, our soil or our air will pay the cost of cleanup. Reaching the settlement was a long and tedious process, but the combined determination of our state and federal government resulted in a huge win for the people of Texas."

This proposed settlement of U.S. v. Atlantic Richfield Company, et al., Civil Action No. H-98-408 (VDG), is subject to a 30-day public comment period and final court approval.

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